

# **EXHIBIT 49**

IN THE SUPERIOR COURT OF MUSCOGEE COUNTY

G E O R G I A

FORT BENNING FAMILY )  
COMMUNITIES, LLC AND )  
FORT BELVOIR RESIDENTIAL )  
COMMUNITIES, LLC, )

Plaintiffs, )

vs. ) CASE NO:  
SU-2010-CV-2025

AMERICAN MANAGEMENT )  
SERVICES EAST, LLC AND )  
AMERICAN MANAGEMENT )  
SERVICES, LLC )  
(d/b/a Pinnacle), )

Defendants. )

HEARING of the above cause came on to be heard on  
the 12th day of September, 2011, before the Honorable Frank  
J. Jordan, Jr., Judge of the above-styled Court, 10th  
Floor, Columbus Consolidated Government Center, Muscogee  
County, Columbus, Georgia.

KATHY S. BOSTIC, R.P.R.  
OFFICIAL COURT REPORTER  
CHATTAHOOCHEE JUDICIAL CIRCUIT

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1 APPEARANCES OF COUNSEL:

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1 auditors has not been able to calculate that is because  
2 there isn't available data to identify the actual altered  
3 data, correct?

4 A. As I understand it, yes.

5 Q. Indeed, the actual paper copies of the work  
6 orders, those have been discarded by Pinnacle, haven't  
7 they?

8 A. I don't know if they've been discarded or lost.

9 Q. They just don't exist, correct?

10 A. Apparently, some of them don't exist.

11 Q. And you testified about Yardi. You understand  
12 that Yardi had a feature, that if Pinnacle had turned it  
13 on, it would have captured what data was specifically  
14 altered, and that feature was not turned on at Belvoir,  
15 correct?

16 A. I don't know the reason, that's Yardi. I asked  
17 our Yardi person and they said they're not aware of the  
18 feature.

19 Q. Okay. So you don't have any knowledge of that?

20 A. No.

21 Q. Now, let's go to the -- Mr. Hudspeth and the --  
22 and to the payments that he was taking from vendors at Fort  
23 Belvoir. Again, I didn't hear you really talk about that  
24 on direct, but let me just focus on it for a moment.

25 So you first learned that Mr. Hudspeth had

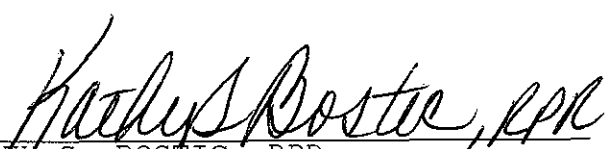
1 STATE OF GEORGIA

2 COUNTY OF MUSCOGEE

3  
4 C E R T I F I C A T E

5  
6 The foregoing transcript of the proceedings was  
7 taken before me and reduced to typewriting under my  
8 direction and supervision, and I certify that it is a true  
9 and correct transcript of the proceedings.

10 WITNESS MY HAND this 20th day of September, 2011.

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14 KATHY S. BOSTIC, RPR  
15 Official Court Reporter for the  
16 Chattahoochee Judicial Circuit  
17 Certificate No. B-1863  
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